



# TEMPORARY POLITICAL (CAMPAIGN) SIGNS POSTING RULES P-11(A)

[Development Services](#)

**Planning Division**  
 1635 Faraday Avenue  
 (760) 602-4610  
[www.carlsbadca.gov](http://www.carlsbadca.gov)

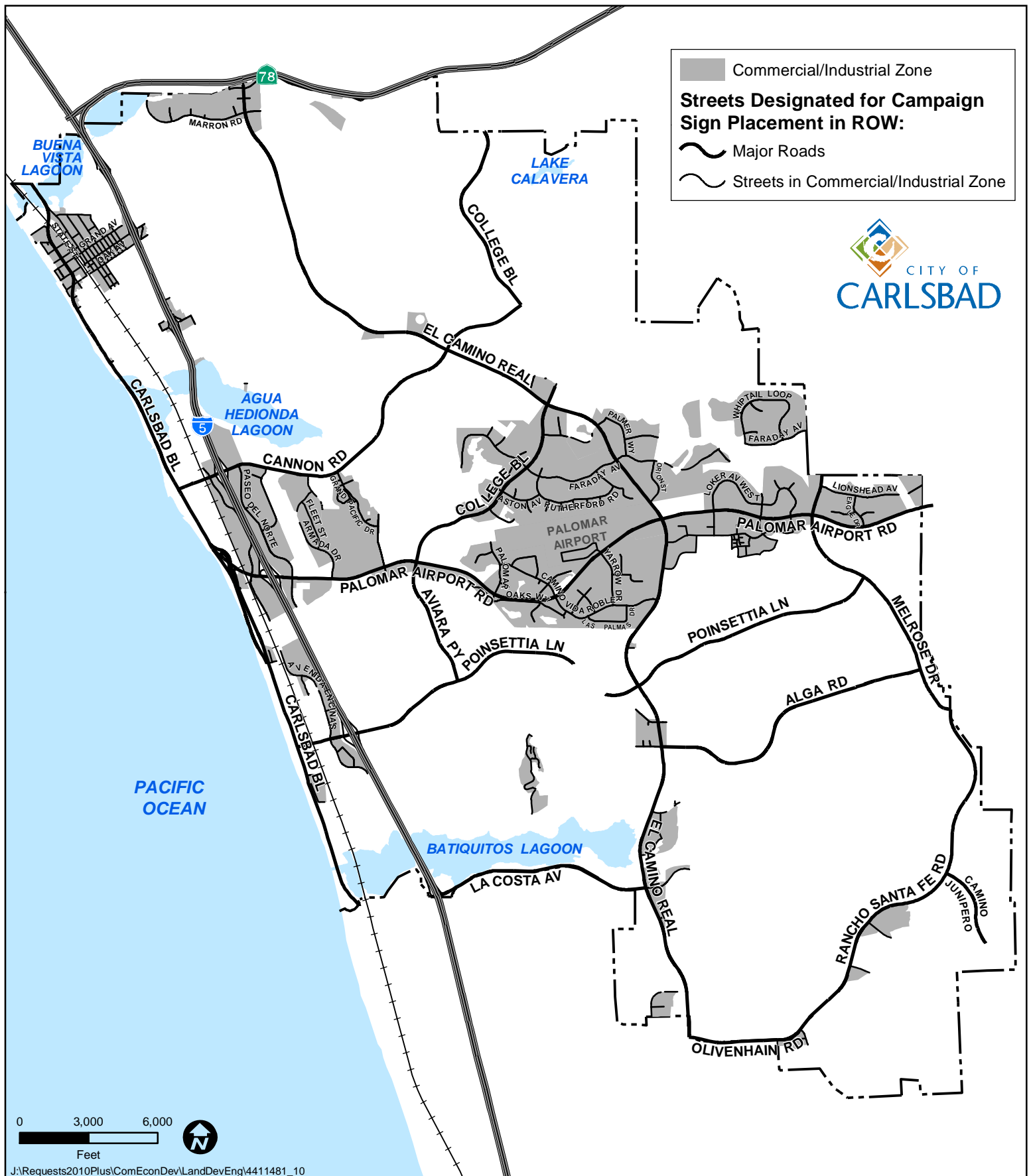
These basic rules are a simplified version of Carlsbad Municipal Code Chapter 11.44 – Private Party Signs on City Property and Carlsbad Municipal Code 21.41 – Sign Ordinance. Please refer to those documents for exact language and requirements.

	Residential Dwelling Unit (Private)	Nonresidential Establishment (Private)	City-Owned Right-of-Way (roadway plus 10 ft. beyond curb)
<b>Permit Required?</b>	No. Need permission of owner.	No. Need permission of owner.	Yes. Campaign sign Permit Fee (see Fee Schedule for current fees)
<b>When?</b>	45 days prior to election date 10 days after the election date.	30 days prior to election date 5 days after the election date.	30 days prior to election date 5 days after the election date.
<b>Where?</b>	Free standing. 5 feet from any property line.	Free standing. 5 feet from any property line.	Signs allowed along streets in Commercial/Industrial Zones and Major Roads (See Campaign Sign Placement Map) **
<b>Size</b>	8 square feet (total campaign and other noncommercial signage per dwelling unit)	10 square feet (total campaign and other noncommercial signage on nonresidential establishment)	6 square feet
<b>Height</b>	Not more than 42 inches in a front yard, not more than 60 inches elsewhere.	Not more than 42 inches in a front yard, not more than 60 inches elsewhere.	Not less than 1 ft. above grade and not more than 6 ft. above grade

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- Cannot attach to utility poles, box or standard, traffic control sign or device supports, trees, other signs or bus benches.
- Cannot be placed in the roadway, sidewalk or median strip
- Cannot block any other sign or obstruct public access (sidewalks) or vehicle visibility.

**For clarification of campaign sign rules, please call Code Compliance at (760) 602-2703.**



**City of Carlsbad**

**Campaign Sign Placement Map**

**(Designated Street Right-of-Ways)**

**C.M.C. Chapter 11.44**



**REVIEW FOR TEMPORARY  
POLITICAL (CAMPAIGN)  
SIGN PERMIT  
P-11(B)**

*Development Services*

**Planning Division**  
1635 Faraday Avenue  
(760) 602-4610  
www.carlsbadca.gov

PLANNING APPLICATION # \_\_\_\_\_  
REC'D BY \_\_\_\_\_  
DATE \_\_\_\_\_  
SIGN FEE \_\_\_\_\_

**APPLICANT MUST SUBMIT A COMPLETED APPLICATION FORM AND THE SIGN PERMIT FEES.**

**The application must be submitted prior to 4:00 p.m.**

NAME OF CANDIDATE OR PROPOSITION: \_\_\_\_\_

NAME OF APPLICANT: \_\_\_\_\_

ADDRESS OF APPLICANT: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_ ELECTION DATE: \_\_\_\_\_ (mo/year)

I CERTIFY THAT:

1. I have received a copy of Carlsbad Municipal Code (CMC) Chapter 11.44 regarding temporary political signage (attached, specifically 11.44.070); and
2. I have read the Temporary Political "(Campaign) Sign Basics" handout attached; and
3. I will abide by the terms of Section 11.44.070 of the CMC and the handout as well as any special terms or conditions which may be stated on the sign permit; and
4. I am aware that signs may be posted on public property beginning 30 days before the election and that all signs must be removed no more than 5 days after the election; and
5. I am also aware that campaign signs on private property, while not requiring a sign permit, may be posted beginning 45 days prior to the election and must be removed no more than 10 days after the election.

SIGNATURE OF APPLICANT: \_\_\_\_\_

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**ORDINANCE NO. CS-227**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, AMENDING TITLE 11 OF THE CARLSBAD MUNICIPAL CODE BY THE ADDITION OF CHAPTER 11.44, PRIVATE PARTY SIGNS ON CITY PROPERTY.  
CASE NAME: PRIVATE PARTY SIGNS ON CITY PROPERTY  
CASE NO.: MCA 13-01

The City Council of the City of Carlsbad, California, does ordain as follows:

**CHAPTER 11.44 PRIVATE PARTY SIGNS ON CITY PROPERTY**

**SECTIONS:**

- 11.44.005 - Purpose and intent.
- 11.44.010 - Signs must be permitted or exempted.
- 11.44.020 - City property sign permits; application forms and procedures.
- 11.44.030 - Temporary political, religious, labor protest and other noncommercial signs in traditional public forum areas.
- 11.44.040 - Exemptions from permit requirement.
- 11.44.050 - Permits for a-frame signs in the Carlsbad village review area, bearing commercial messages for adjacent establishments or non-commercial messages.
- 11.44.060 - Real estate for sale "kiosk" signs in particular locations.
- 11.44.070 - Temporary political and other noncommercial signs in the public right-of-way during campaign periods.
- 11.44.080 - Signage associated with special events.
- 11.44.090 - Use of public land for banners.
- 11.44.100 - City-wide way-finding signs.
- 11.44.110 - Remedies and penalties.
- 11.44.120 - Violations.
- 11.44.130 - Severability.

**11.44.005 - Purpose and intent.**

- A. Purpose. The purpose of this ordinance is to identify what types of private party signs are allowed to be displayed on city property, particularly in the public right-of-way, and the specific standards under which they may be displayed. The city's proprietary ownership rules for permitted signage on city property, particularly in the public right-of-way, which are contained in this ordinance, supplement the city's Sign Ordinance (Chapter 21.41 of the Carlsbad Municipal Code), which deals with permitted signage on private property. The definitions in Chapter 21.41 apply to this ordinance.
- B. Intent. The city declares its intent that all city property shall not function as a designated public forum, unless some specific portion of city property is designated herein as a public forum of one particular type; in such case, the

1 declaration as to public forum type shall apply strictly and only to the specified  
2 area and the specified time period, if any.

3 **11.44.010 - Signs must be permitted or exempted.**

4 The provisions of the chapter shall apply generally to all zones within the city,  
5 including the Village Review Zone. No "sign" as defined in the Sign Ordinance (Chapter  
6 21.41), may be displayed on city property, unless a City Property Sign Permit has first  
7 been issued, or the subject sign is expressly exempted from the City Property Sign Permit  
8 requirement by this ordinance.

9 A sign may be affixed, erected, constructed, place, established, mounted, created  
10 or maintained only in conformance with the standards, procedures and other  
11 requirements of this chapter. The standards regarding number and size of signs regulated  
12 by this chapter are maximum standards, unless otherwise stated.

13 **11.44.020 - City property sign permits; application forms and procedures.**

14 The city planner shall prepare and make available to the public a form for  
15 application for a City Property Sign Permit (Permit), which shall, when fully approved,  
16 constitute a Permit and indicate the city's consent, in its proprietary capacity, for  
17 placement of a sign. The applicant for the permit must be the same person or entity who  
18 is to be the owner of the sign. The processing fee for each application, which shall not be  
19 refundable even if the application is denied, shall be the same as the fee for a sign permit  
20 under the sign ordinance.

21 Any City Property Sign Permit issued in error may be summarily revoked by any  
22 officer of the city, by simply informing the applicant of the nature of the error in issuance;  
23 any applicant whose permit is revoked as issued in error may, at any time thereafter,  
24 submit a new permit application which cures any deficiencies in the original application.  
25 The application fee shall apply separately to each new application, unless the original  
26 error was in processing by the city. Applications which fully comply with the terms and  
27 conditions of this ordinance shall be duly issued. Applications which are denied, or  
28 permits which are revoked or suspended, may be appealed in the same manner as denials  
of sign permits, as described in the Sign Ordinance.

**11.44.030 - Temporary political, religious, labor protest and other noncommercial signs  
in traditional public forum areas.**

This section applies only when the Special Events Chapter of the Carlsbad  
Municipal Code (Chapter 8.17) does not. In areas qualifying as traditional public forums,  
such as the surfaces of city streets, parks and sidewalks, as well as the surfaces of exterior  
areas immediately around City Hall, persons may display noncommercial message signs  
without first obtaining a City Property Sign Permit, subject to all of the following:

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1. Each sign must be personally held by a person, or personally attended by one or more persons. "Personally attended" means that a person is physically present within five feet of the sign at all times.
2. The signs may be displayed only during the time period of sunrise to sunset, except on evenings when a public hearing is being held at City Hall and on days when the polls are open; on such occasions, the display may continue until one hour after the close of the public hearing or one hour after the close of the polls.
3. The maximum aggregate size of all signs held by a single person is 10 square feet.
4. The maximum size of any one sign which is personally attended by two or more persons is 50 square feet.
5. The displayed signs may not be inflatable, inflated or air-activated.
6. In order to serve the city's interests in traffic flow and safety, persons displaying signs under this section may not stand in any vehicular traffic lane when a roadway is open for use by vehicles, and persons displaying signs on public sidewalks must give at least five feet width clearance for pedestrians to pass by.
7. This section does not override Elections Code 18370, which prohibits sign display and electioneering within 100 feet of a polling place on Election Day.

#### **11.44.040 - Exemptions from permit requirement.**

The following signs are exempted from the Permit requirement: Traffic control and traffic directional signs erected by the city or another governmental unit; official notices required by law; signs placed by the city in furtherance of its governmental functions or proprietary capacity; signs expressing the city's own message to the public and signs allowable under section 11.44.030 and section 11.44.100 of this ordinance.

#### **11.44.050 - Permits for a-frame signs in the Carlsbad Village Review Area, bearing commercial messages for adjacent establishments or non-commercial messages.**

##### **A. Intent as to public forum**

The areas and times controlled by this section are designated to constitute a limited access, nonpublic forum which is strictly limited to commercial messages for adjacent establishments or non-commercial messages, and which is open only to those persons described in this section and on the terms stated in this section.

##### **B. Where a-frames may be placed; physical standards**

1. "A-Frame" signs, as that term is defined in the sign ordinance, may be placed in particular portions of the public right-of-way, within the Carlsbad Village Review Area only, namely, on the public sidewalk directly in front of the store or other establishment displaying the sign.
2. Such signs may have no more than 2 display faces, every display face shall be a flat, smooth surface, and remain completely free of dangerous protrusions

1 such as tacks, nails or wires; however, cutouts of any shape are allowed.  
2 Sign faces shall be back to back. No banners, ribbons, streamers, balloons,  
3 or attachments of any kind may be affixed to the sign. The sign may not use  
4 any moving parts or include a display face which is hinged, or which  
5 otherwise swings or hangs from a frame. Glass, breakable materials and  
6 illumination are prohibited. The signs shall be physically stable and balanced  
7 flat on the sidewalk. The sign must be self-supporting, stable and weighted  
8 or constructed to withstand overturning by normal wind currents or contact.

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- 10 3. All such signs may be placed in the permitted space on the public right-of-way  
11 only when the establishment is actually open to the public for business. A  
12 person employed by or associated with the establishment must be physically  
13 present within 50 feet of the sign at all times. The sign must be placed on the  
14 public sidewalk within the 2 feet closest to the curb or edge of the sidewalk,  
15 directly in front of the establishment which owns the sign. Non-commercial  
16 messages may also be displayed on the sidewalk in the Village Review Area,  
17 subject to the same rules regarding location, display times and physical  
18 standards as commercial signs for adjacent establishments. Non-commercial  
19 signs must also be attended by a person who is within 50 feet of the sign at all  
20 times; however, the attendant need not be employed by or associated with an  
21 adjacent establishment. Any one person may act as an attendant to only one  
22 non-commercial sign at a time.
- 23
- 24 4. Each display face shall have a maximum area of 15 square feet, and shall not  
25 exceed 5 feet in height or 3 feet in width. Changeable text area of the sign  
26 may not exceed 50% of the display face. No such sign may have special  
27 illumination or parts which move, flash, blink, fluoresce or use digital display.  
28 Fluorescent or "day glow" colors are not allowed. Paper and other non-rigid  
changeable text areas are not allowed.
5. The sign shall not be permanently affixed to any object, structure, or the  
ground, including utility poles, light poles, trees or other plants, or any  
merchandise of products displayed outside permanent buildings.
6. At no time may the sign be placed in the street or in any position which  
impedes the smooth and safe flow of vehicular and pedestrian traffic, or which  
interferes with driver or pedestrian sight lines or corner clear zone  
requirements as specified by the city. No sign shall be placed in such a manner  
as to obstruct access to a public sidewalk, public street, driveway, parking  
space, fire door, fire escape or access for persons with disabilities. A clear area  
of at least 5 feet in width must be maintained for pedestrian use over the  
entire length of the sidewalk in front of the establishment.
7. Signs shall not obscure or interfere with the effectiveness of any official notice  
or public safety device. Signs shall not simulate in color or design a traffic sign  
or signal, or make use of words, symbols, or characters in such a manner as  
may confuse pedestrians or drivers.
- 44

1 8. Every sign and all parts thereof shall be kept in good repair. The display  
2 surface shall be kept clean, neatly painted, and free from dust, rust and  
3 corrosion. Any cracked, broken surfaces, missing sign copy or other  
4 unmaintained or damaged portion of a sign shall be repaired or replaced or  
5 removed within 15 days following notice by the city.

6 9. As to commercial signs for adjacent establishments, commercial copy must  
7 pertain to the adjacent establishment, and must refer or pertain to goods,  
8 activities or services which are actually available in the subject store at the  
9 time the sign is displayed.

10 10. Signs displayed under this section may not be used for general advertising for  
11 hire.

12 C. Who may display an a-frame sign in the village review area

13 The commercial A-Frame Signs allowed by this section may be displayed only by  
14 the operators of establishments with ground floor frontage on streets within the  
15 Village Review Area, who hold a currently valid city business license, who are not  
16 currently in violation of, or nonconformance with, any of the zoning, land use,  
17 environmental or business regulatory laws, rules or policies of the city. Persons  
18 acting as the official attendant of non-commercial message signs must be over the  
19 age of eighteen.

20 Each eligible establishment location is allowed a maximum of one A-Frame sign.  
21 However, when an establishment is located within a business arcade or courtyard  
22 area, in which case only one "tenant directory" sign, which lists all of the  
23 establishments within the arcade or courtyard, is allowed. The display area of the  
24 permitted A-Frame sign shall not count as part of the total signage for the  
25 establishment, which is allowed under the Village Master Plan and Design Manual.

26 D. Transfer of permit

27 The Permit attaches to the establishment at the location specified. If the  
28 establishment is sold or transferred, and remains at the same location, then the  
Permit shall automatically transfer to the new owner or transferee, who shall be  
bound to the terms and conditions of the original Permit. However, if the  
establishment which first obtained the Permit moves to a different location, or if  
the original location is then taken by a new establishment, a new application and  
Permit shall be required.

29 E. Term of consent indicated by permit; revocation and renewal

30 The Permit is revocable or cancelable at will by the city. However, the city will  
cancel a Permit without cause only when it does so to all permittees who are  
similarly situated. Any Permit may be revoked for noncompliance, 30 calendar



1 days after notice of noncompliance remains uncured, or in the case of a  
2 noncompliance condition which constitutes a threat to the public health, safety or  
3 welfare, summarily. When a Permit is revoked, the owner of the sign must  
4 physically remove it from the public right of way within 24 hours of notice of  
5 revocation; upon failure to do so, the city may summarily remove the sign and  
6 hold it in storage until all costs of removal and storage are paid by the sign owner,  
7 upon which condition the sign shall then be returned to its owner. There is no  
8 guarantee that the city will continue the provisions stated herein. Permittees hold  
9 no expectation of renewal of any given Permit, acquire no vested right to continue  
10 displaying the sign on city property, and waive all claims of inverse condemnation  
11 (uncompensated taking of private property) as to the permitted sign, when they  
12 submit the original application.

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14 F. Temporary removal

15 The city may give notice, by any reasonable means, that consent to display an A-  
16 frame is or shall be withdrawn temporarily so as to serve a more urgent or more  
17 important public need, such as, without limitation, dealing with a natural disaster,  
18 a traffic emergency, a temporary need to make more space available on the public  
19 right-of-way, a civil disturbance, a parade, an election, or other special event. In  
20 urgent situations, the city may summarily remove a permitted sign without notice,  
21 for a time sufficient to deal with the urgency. All permittees shall comply with all  
22 notices to temporarily remove the permitted signs, and to return them to display  
23 only in accordance with the city's directions.

24 G. Insurance and indemnity

25 A Permit under this section will be issued only to an applicant who provides  
26 evidence of comprehensive general liability insurance coverage, in a form  
27 satisfactory to the city planner and risk manager, which shall name the city as an  
28 additional insured and provide thirty-day notice of cancellation. The minimum  
liability coverage on such policy shall be one million dollars; such coverage shall  
apply to claims of personal injury including death, property damage and  
advertising injury. Application for a Permit shall constitute an agreement to hold  
harmless, defend and indemnify the city against all claims relating to property  
damage or personal injury, including death, which assert that the permitted sign  
played any legally significant role in the creation of the liability.

29 H. Cancellation or modification of program

30 The city may, at any time and for any reason, cancel or modify this program  
31 allowing commercial A-Frame signs in the public right-of-way in the Village Review  
32 Area.

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1 **11.44.060 - Real estate for sale "kiosk" signs in particular locations.**

2 A. Intent as to public forum

3 The city's intent as to this section is to designate a strictly limited public forum,  
4 which allows only the posting in convenient places of directional information  
5 regarding tract housing developments which are currently selling homes located  
6 within the city.

7 B. Kiosk signs for new tract housing developments

8 Kiosk signs are permanent freestanding structures, not exceeding 10 feet in  
9 height, 7 feet in width, which contain modular information strips, not exceeding  
10 10 inches in height, 6 feet in width, providing information about tract housing  
11 developments (of more than 4 units) which are currently selling new homes  
located within the city. Such signs may display only the following information: the  
name of the development, developer and/or marketer thereof, and the direction  
to the development from the sign.

- 12 1. Each kiosk will have "City of Carlsbad" and the city logo displayed in a  
13 prominent location on the sign.
- 14 2. One kiosk design will be utilized throughout the city. This kiosk design is on  
15 file in the Planning Division. All tract housing development signs mounted on  
16 the kiosks shall be the same design and shall be white wood with black  
17 reflective lettering. Letters shall be consistent in size, width and thickness of  
18 print. Letters shall be all upper case letters not more than 6 inches in height.
- 19 3. Individual tract housing development directional signs must be approved by  
20 the city planner prior to mounting on a kiosk to ensure compliance with this  
21 section. In no case shall a sign be mounted on a kiosk before building permits  
22 have been issued for the model homes.
- 23 4. There shall be no additions, tag signs, streamers, devices, display boards,  
24 runners or riders or appurtenances added to the sign as originally approved.  
25 Further, no other off-site directional signing may be used such as posters,  
26 trailer signs or temporary subdivision directional signs.
- 27 5. Any sign placed contrary to the provisions of this section may be removed by  
28 the city without prior notice.
6. Each approved tract housing development may have up to a maximum of 8  
directional signs. Upon approval by the city planner, directional signs shall be  
permitted until the homes within the housing development are sold or for a  
period of one year, whichever comes first. Extensions not exceeding one year  
may be granted by the city planner.

1 7. A tract housing development neighborhood shall not be allowed any  
2 directional kiosk signs if there are any other offsite signs advertising the  
3 housing development anywhere in the city. If any advertising signs are  
4 erected and not promptly removed upon demand by the city, all kiosk signs for  
5 that subdivision shall be removed, the lease cancelled and no refund given.

6 C. Private contractor for management of the kiosks

7 The city may enter into a contract with a private contractor to design, erect,  
8 modify, replace, maintain and manage the kiosk signs allowed by this section.  
9 Such contract must be approved by the City Council, and may require that the  
10 contractor pay to the city a rent or royalty on advertising revenues. All the terms  
11 of said contract, and all payments to the city hereunder, shall be public  
12 information.

13 D. Insurance requirement

14 In the event the city selects a private party contractor to manage the kiosks, the  
15 city may require the private party contractor to provide evidence of  
16 comprehensive general liability insurance coverage, in a form satisfactory to the  
17 city planner and risk manager, which shall name the city as an additional insured,  
18 and provide 30-day notice to the city of cancellation. The minimum liability  
19 coverage on such policy shall be one million dollars. Any private party contract  
20 must include a provision for the contractor to hold harmless, defend and  
21 indemnify the city against all claims relating to property damage or personal  
22 injury, including death, which assert that the kiosk sign played any legally  
23 significant role in the creation of the liability.

24 E. Allowable locations

25 The kiosks allowed by this section may be located only as shown on the approved  
26 location map on file with the planning division. The city planner is authorized to  
27 approve the relocation of kiosks shown on the approved map to better serve the  
28 needs of new development.

**11.44.070 - Temporary political and other noncommercial signs in the public right of  
way during campaign periods.**

A. Intent as to public forum

In this section only, the city's intent is to designate a public forum which is  
available only at limited times and places for sign expression on political and other  
noncommercial topics, without favoritism as to any speaker, topic or point of  
view. The display opportunities afforded by this section are in addition to those in  
the Sign Ordinance which allow noncommercial speech at all times.

1 B. Temporary noncommercial sign permit; application forms and procedures

2 The procedure for the approval of a temporary noncommercial sign permit  
3 is as follows:

4 The zoning enforcement officer shall provide notice in the temporary  
5 noncommercial sign permit application to candidates and/or their state/local  
6 campaign committee chairpersons for national, state, local or county office and  
7 chairpersons of campaign committees for or against any measure appearing on  
the ballot for a statewide, local or county election of the temporary campaign sign  
requirements as provided herein.

8 Prior to the posting of any temporary noncommercial signs in the public right-of-  
9 way (excluding median strips), the candidate, the chairperson of a campaign  
10 committee or any other person designated by the candidate or chairperson who is  
11 responsible for the posting of said sign, shall obtain a temporary noncommercial  
12 sign permit. The permit, on a form prescribed by the city, shall include the name,  
13 address and phone number of the candidate or campaign chairperson and any  
14 person responsible for the posting of signs. The Permit shall be signed by the  
15 candidate, chairperson or person responsible for the posting of the signs.

16 C. Time period

17 The signs allowable under this section may be displayed only during the period of  
18 time, 30 days preceding and 5 days following a general, special or primary  
19 election. All political and other noncommercial message signs must be removed  
20 from the public right-of-way, by the permittee or his/her designee, not more than  
21 5 days after the election.

22 D. Locations

23 This section allows the display of signs expressing political or other  
24 noncommercial messages. The signs allowable under this section may be placed  
25 in the public right-of-way (excluding median strips) adjacent to the public streets  
26 identified on the City Council approved campaign sign placement map on file with  
27 the Planning Division.

28 E. Persons who may receive a permit under this section

Any person who will abide by the terms and conditions of this section may receive  
a permit. Removal, defacement, alteration, obliteration, destruction or tampering  
with signs permitted under this policy without the permission of the owner is  
prohibited. Such signs may not be placed in such a manner as to obscure or cover,  
in whole or in part, any other sign permitted under this section.

1 F. Physical requirements

2 Signs which are allowable under this section may not exceed 6 square feet in  
3 display area, must be made of materials and construction methods to withstand  
4 normal weather conditions for the period of display, and mounted in such a  
5 manner that they will not be blown away or dislodged by normal weather and  
6 climate conditions for the area. Each sign must be mounted at least 1 foot above  
grade, and no higher than 6 feet above the grade. Permitted signs may not be  
specially illuminated.

7 No sign shall be:

- 8 1. attached to any utility pole, box or standard, bus bench, pole or structure  
9 supporting a traffic control sign or device (streetlight, traffic signal), or any fire  
hydrant.
- 10 2. placed on any tree or shrub by any nail, tack, spike or other method which will  
cause physical harm to the tree or shrub.
- 11 3. placed in such a manner as to obstruct the public use of the sidewalk or  
12 interfere with the visibility of persons operating motor vehicles or constitute a  
hazard to persons using the public road right-of-way.
- 13 4. placed in the roadway or on the sidewalk.
- 14 5. placed in a median strip.
- 15 6. placed in that portion of the public right-of-way or easement past the sidewalk  
without the consent of the adjoining property owner or person in possession if  
different than the owner.

16 G. Removal of nonconforming signs

17 Signs which do not conform to this section or any permit issued under this section  
18 may be summarily removed by the city upon discovery of the nonconformance.

19 **11.44.080 - Signage associated with special events.**

20 When the city allows a special event pursuant to Carlsbad Municipal Code Chapter  
21 8.17, the Special Event Committee shall approve the location, number, duration of  
22 posting and content for "Road Closure Notification" and "Traffic Control/Directional"  
signs as described in the Carlsbad Municipal Code. The Special Event Committee shall  
23 approve the location and duration of posting for special event venue signs as described in  
the Carlsbad Municipal Code.

24 Signs within the venue shall conform to the size requirement and may only be  
25 posted during the time authorized in the Special Event Permit and Carlsbad Municipal  
26 Code Chapter 8.17.

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1 **11.44.090 - Use of public land for banners.**

2 Banners may be placed by the city on city property in the public right-of-way for any  
3 message, event or program officially sponsored, co-sponsored, or supported, by the City  
4 of Carlsbad which provides a public benefit, as approved by resolution of the City Council.

5 **11.44.100 - Citywide way-finding signs.**

6 A. Intent as to public forum

7 The city's intent as to this section is to designate a strictly limited forum, which  
8 allows the city to post way-finding (directional) signs on city property to guide  
9 residents and visitors to public buildings or facilities, quasi-public buildings, city  
10 neighborhoods, philanthropic organizations, cultural/historical destinations,  
11 tourist destinations and points of public interest throughout Carlsbad. Other uses,  
12 locations or destinations may be allowed to post way-finding signage if approved  
13 by resolution of the City Council.

14 Way-finding signs are expressly permitted for the following  
15 buildings/facilities/uses:

- 16 1. Public Buildings and Facilities – City of Carlsbad, County, State and Federal  
17 Buildings;
- 18 2. City Facilities – City Buildings, Uses, Parking Lots, Golf Course, Parks and Trails,  
19 etc.;
- 20 3. Quasi-Public Buildings – Chamber of Commerce, Carlsbad Visitors Center, Train  
21 Stations;
- 22 4. Cultural/Historical Destinations –Museums;
- 23 5. Points of Public Interest – City Lagoons, Ocean Beaches, Nature/Interpretive  
24 Centers, the Flower Fields, the Strawberry Fields, Legoland, the Village Area;
- 25 6. City Entries and Neighborhood Entries; and
- 26 7. Philanthropic Organizations – Lions Club, Rotary Club, Kiwanis Club, etc.

27 B. The following way-finding signs may be allowed if approved by resolution of the  
28 City Council:

- 1 Tourist Destinations;
- 2 Locations or destinations where way-finding signage would be of public  
benefit; and
- 3 Way-finding signs designed as archway signs located over major roads within  
the city.

C. The design of the city's way-finding signs shall be as approved by the city with a  
uniform design that includes the city's logo.

D. Citywide way-finding signs shall be subject to the approval by the city planner, city  
engineer and city traffic engineer prior to installation.

E. All way-finding signs shall be installed by the city.

1 **11.44.110 - Remedies and penalties.**

2 Any sign posted on city property, contrary to the ordinance stated herein, may be  
3 summarily removed as a trespass and a nuisance by the city. Any sign, which has been  
4 properly removed under this chapter, may be returned to the owner upon payment to  
5 the city of the costs of removal. If no timely request is made for hearing or if no demand  
6 is made for the return of the sign removed, the community and economic development  
7 director, or his designee, is authorized to destroy or dispose of the removed sign not  
8 earlier than thirty days after the removal of such sign.

9 **11.44.120 - Violations.**

10 A. It is unlawful for any person to:

- 11 1. Install, mount, affix, create, erect, display or maintain any sign in a manner  
12 that is inconsistent with this chapter or any permit for such sign;
- 13 2. Install, mount, affix, create, erect, display or maintain any sign requiring a  
14 permit without such a permit; or
- 15 3. Fail to remove any sign which the community and economic development  
16 director or designee has ordered to be removed for being in violation of this  
17 chapter.

18 B. Violations of any provisions of this chapter shall be subject to the enforcement  
19 remedies and penalties provided for herein and in Chapter 1.08 of this code. The  
20 city may also pursue any civil remedies provided by law, including injunctive relief,  
21 as to signs not in conformance with this chapter:

- 22 1. Each day of a continued violation shall be considered a separate violation  
23 when applying the penalty portions of this chapter; and
- 24 2. Each sign installed, created, erected or maintained in violation of this chapter  
25 shall be considered a separate violation when applying the penalty portions of  
26 this chapter.

27 **11.44.130 - Severability.**

28 If any section, subsection, sentence, clause phrase or part of this chapter is for any  
reason found by a court of competent jurisdiction to be invalid or unconstitutional, such  
decision shall not affect the validity of the remaining portions of this chapter, which shall  
be in full force and effect. The city council hereby declares that it would have adopted  
this chapter with each section, subsection, sentence, clause, phrase or part thereof  
irrespective of the fact that any one or more sections, subsections, sentences, clauses,  
phrases or parts be declared invalid or unconstitutional.

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1 NOW, THEREFORE, the City Council of the City of Carlsbad ordains as follows  
2 that:

3. 1. The above recitations are true and correct.

EFFECTIVE DATE: This ordinance shall be effective thirty days after its adoption; and the city clerk shall certify the adoption of this ordinance and cause the full text of the ordinance or a summary of the ordinance prepared by the City Attorney to be published at least once in a newspaper of general circulation in the City of Carlsbad within fifteen days after its adoption.

INTRODUCED AND FIRST READ at a regular meeting of the Carlsbad City  
Council on the 27<sup>th</sup> day of August 2013, and thereafter.

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1 PASSED AND ADOPTED at a regular meeting of the City Council of the City of  
2 Carlsbad on the 10<sup>th</sup> day of September, 2013, by the following vote, to wit:

3  
4 AYES: Council Members Hall, Packard, Wood, Blackburn and Douglas.

5 NOES: None.

6 ABSENT: None.

7  
8  
9 APPROVED AS TO FORM AND LEGALITY:

10  
11 

12 CELIA A. BREWER, City Attorney

13 

14 MATT HALL, Mayor

15 ATTEST:

16  
17   
18 BARBARA ENGLESON, City Clerk

